



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

April 12, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:
STEPHEN SORENSEN COUNTY PARK
SPLASH PAD PROJECT
SPECS. 7110R1; CAPITAL PROJECT NO. 69679
REJECT ALL BIDS
ADOPT, ADVERTISE, AND AWARD CONSTRUCTION CONTRACT
(FIFTH DISTRICT) (3 VOTES)**

SUBJECT

The recommended actions will reject all construction bids received on March 15, 2011, adopt revised plans and specifications, allow readvertising for construction bids, and delegate authority to the Director of Public Works to award and execute a construction contract for the Stephen Sorensen County Park Splash Pad Project.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Reject all bids received by the Department of Public Works on March 15, 2011, for construction of the Stephen Sorensen County Park Splash Pad Project.
2. Adopt the revised plans and specifications (Specifications 7110R1) which are on file in the Architectural Engineering Division of the Department of Public Works for construction of the Stephen Sorensen County Park Splash Pad Project at an estimated construction cost of \$750,000, and instruct the Executive Officer of your Board to advertise the Project for bids to be received and opened on May 3, 2011, in accordance with the Instruction Sheet for Publishing Legal Advertisements.

"To Enrich Lives Through Effective And Caring Service"

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Intra-County Correspondence Sent Electronically Only**

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

3. Authorize the Director of Public Works to execute a consultant services agreement with the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule for a not-to-exceed fee of \$1,000, funded by the existing Project funds.
4. Delegate to the Director of Public Works the authority to determine, in accordance with the applicable contract and bid documents, whether the apparent Lowest Responsive and Responsible Bidder has timely prepared a satisfactory baseline construction schedule and satisfied all conditions for contract award, including the criteria adopted by your Board for contract award. Upon her determination that all such conditions have been satisfied, authorize the Director of Public Works to award and execute the construction contract, in the form previously approved by County Counsel, to the apparent Lowest Responsive and Responsible Bidder, and to establish the effective date of the contract upon receipt by acceptable performance and payment bonds and evidence of required contractor insurance.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will reject all bids received on March 15, 2011, adopt revised plans and specifications, allow readvertising for construction bids, and authorize the Director of Public Works to award and execute a construction contract for the Stephen Sorensen County Park Splash Pad Project. The adopt, advertise, and award process is recommended in order to expedite the delivery of the Project.

The proposed Project will include construction of an approximately 3,400 square-foot reinforced concrete splash pad area with 15 interactive water features for children of various ages, an overhead canopy shade structure over the splash pad area, and a dedicated recirculation system in a prefabricated mechanical equipment enclosure.

Background

On February 22, 2011, your Board adopted plans and specifications at an estimated construction cost of \$750,000 and authorized advertising for bids. To obtain bids from only qualified contractors with previous experience in successfully constructing splash pads, the bid documents required prospective bidders:

- to have completed at least two similar splash pads for a public entity within the last 2 years; and

- completed Project had a construction value of at least \$500,000, and a size of at least 2,500 square feet.

On March 15, 2011, only three bids were received, all of which exceeded the estimated construction cost of \$750,000 by \$113,000, \$203,000, and \$298,000 respectively. Based on the bid results, the Department of Public Works (Public Works) has revised the experience requirements in the bid documents in an effort to attract additional qualified bidders and obtain more competitive bids. The revised bid documents now require bidders *to have installed, as a prime contractor or as a subcontractor, at least two similar splash pads for a public entity within the last 5 years with certain minimum technical features and characteristics.* Therefore, we recommend readvertising the project for bids based on the revised bid documents.

Recommended Rebidding and Award

The revised plans and specifications for the project have been completed by the Public Works' in-house staff and as-needed consultants, and Public Works is recommending that your Board adopt and advertise these documents for construction bids.

In order to expedite construction of the Project, it is recommended that your Board authorize the Director of Public Works to award and execute a construction contract to the Lowest Responsive and Responsible Bidder (as defined in the Facts and Provisions/Legal Requirements Section of this letter) if the low bid can be awarded within the total Project budget approved by your Board. If the low bid cannot be accommodated within the approved total Project budget, a contract will not be awarded, and we will return to your Board with a revised Project scope of work and/or other funding recommendations.

The proposed consultant services agreement requires the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule that conforms to the County's schedule specification, which is critical to successfully managing construction activities by both the contractor and the County. The bid specifications provide that if the apparent Lowest Responsive and Responsible Bidder fails to complete an acceptable schedule, the Director of Public Works may return to your Board to recommend that the bidder be determined nonresponsive and recommend awarding the construction contract to the next Lowest Responsive and Responsible Bidder, contingent on that bidder completing a baseline schedule that conforms to the County's specifications.

It is anticipated that construction of the Project will begin in May 2011 and be completed in September 2011 (see Project Schedule in Attachment A).

Sustainable Design Program

The Project will support your Board's Sustainable Design Program by including a dedicated water quality management system operated by energy-efficient pumps to recycle, treat, and recirculate the water for the splash pad to optimize energy and water use efficiency.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1); Children, Family, and Adult Well-Being (Goal 2); and Community and Municipal Services (Goal 3), by investing in public infrastructure that will enhance recreational opportunities for County residents.

FISCAL IMPACT/FINANCING

Public Works' fair construction cost estimate for the Project is \$750,000. The total Project cost, including plans and specifications, plan check, construction, consultant services, civic art allocation, miscellaneous expenditures, and County services, is estimated at \$1,200,000, which is consistent with the amount previously approved by your Board on February 22, 2011. The Project Schedule and Budget Summary are detailed in Attachment A.

Sufficient appropriation is available in the Fiscal Year (FY) 2010-11 Capital Project/Refurbishment Budget – Stephen Sorensen County Park Splash Pad Project (Capital Project No. 69679) to fully fund the project. The proposed Project is funded with \$1,200,000 in Fifth District Capital Project net County cost.

Operating Budget Impact

Following completion of the Project, the Department of Parks and Recreation anticipates a one-time, start-up cost of \$5,000 for signage and dedication, and ongoing operating costs of \$46,000 for recreation and maintenance staff and supplies. The Department of Parks and Recreation will work with the Chief Executive Office to confirm the appropriate level of funding and request one-time and ongoing funds in its FY 2011-12 Proposed New Facilities Budget request.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Pursuant to your Board's Civic Art Policy adopted on December 7, 2004, as amended, the Project budget includes 1 percent of design and construction costs to be allocated to the Civic Art Fund.

Applicable law, including the State Public Contract Code, requires the County to award construction contracts to the Lowest Responsive and Responsible Bidder, which refers to the firm that: 1) submits the lowest bid price; 2) is deemed by the County to be "responsive" to specific criteria under the solicitation, including, but not limited to, licensure, bonding, and insurance requirements; and 3) is determined by the County to be a "responsible" bidder by exhibiting the quality, fitness, capacity, experience, and trustworthiness, to satisfactorily perform the work required under the bid solicitation.

A standard contract, in a form previously approved by County Counsel, will be used. The construction contract will contain terms and conditions supporting your Board's ordinances, policies, and programs, including, but not limited to, County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN/GROW); Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; and the standard Board-directed clauses that provide for contract termination or renegotiation.

To ensure that the contract is awarded to the Lowest Responsive and Responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the contractor's State License Board, labor law/payroll violation, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The Project specifications contain provisions requiring the contractor to report solicitations of improper consideration of County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees.

ENVIRONMENTAL DOCUMENTATION

On February 22, 2011, your Board found the Project to be categorically exempt from the California Environmental Quality Act pursuant to Article 19, Sections 15303 (d) and (e) of the State California Environmental Quality Act Guidelines, and Classes 3 (a) and (b) of the revised Environmental Document Reporting Procedures and Guidelines, adopted by your Board on November 17, 1987, because the Project will involve construction of new small appurtenant structures and underground utility extensions within an existing developed park facility.

CONTRACTING PROCESS

Advertising for construction bids will be in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements (Attachment B).

The revised plans and specifications include the contractual provisions and material requirements necessary for this Project and are on file in the Architectural Engineering Division of Public Works.

As requested by your Board on February 3, 1998, this contract opportunity will be listed on the Doing Business with Us website.

Participation by Community Business Enterprises (CBE) in the Project is encouraged through Public Works' Capital Projects' CBE Outreach Program and by monitoring the good faith efforts of bidders to utilize CBE.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommended actions will have no impact on current County services or projects. The park facility will remain operational during construction of the splash pad.

The Honorable Board of Supervisors
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CONCLUSION

Please return one adopted copy of this letter to the Chief Executive Office, Capital Projects Division; the Department of Parks and Recreation; and the Department of Public Works, Project Management Division I.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:RLR:DJT
SW:VM:zu

Attachments (2)

c: Executive Office, Board of Supervisors
County Counsel
Arts Commission
Affirmative Action Compliance
Public Social Services (GAIN/GROW Program)

April 12, 2011

ATTACHMENT A

**DEPARTMENT OF PUBLIC WORKS:
STEPHEN SORENSEN COUNTY PARK
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I. PROJECT SCHEDULE

Project Activity	Scheduled Completion Date	Revised Completion Date
Construction Documents	02/10/11*	
Jurisdictional Approvals	03/24/11	03/31/11
Construction Award	03/29/11	05/19/11
Start Construction	04/04/11	05/31/11
Substantial Completion *	07/29/11	09/30/11
Project Acceptance	09/29/11	11/30/11

* Actual completion date.

II. PROJECT BUDGET SUMMARY

Project Activity	Proposed Budget
Land Acquisition	\$ 0
Construction	
Low Bid Construction Contract	\$ 750,000
Job Order Contract	0
Change Orders	150,000
Departmental Crafts	0
Youth Employment	0
Construction Consultants	0
Misc. Expense	0
Telecomm Equip – Affixed to Building	0
Civic Arts	8,000
Subtotal	\$ 908,000
Programming/Development	\$ 0
Plans and Specifications	\$ 50,000
Consultant Services	
Site Planning	\$ 0
Hazardous Materials	0
Geotech/Soils Report and Soils Testing	10,000
Material Testing	25,000
Cost Estimating	0
Topographic Surveys	0
Construction Management	0
Construction Administration	0
Environmental	0
Move Management	0
Equipment Planning	0
Legal	0
Construction/Change Order	0
Subtotal	\$ 35,000
Miscellaneous Expenditures	\$ 5,000
Jurisdictional Review/Plan Check/Permit	\$ 15,000
County Services	
Code Compliance and Quality Control Inspections	\$ 60,000
Design Review	0
Design Services	5,000
Contract Administration	25,000
Project Management	80,000
Project Management Support Services	0
ISD Job Order Contract Management	0
DPW Job Order Contract Management	0
ISD ITS Communications	0
Project Security	0
Project Technical Support	10,000
Office of Affirmative Action	7,000
County Counsel	0
Subtotal	\$ 187,000
TOTAL	\$1,200,000

April 12, 2011

ATTACHMENT B

**DEPARTMENT OF PUBLIC WORKS:
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PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20125, you may publish once a week for two weeks in a weekly newspaper or ten times in a daily newspaper. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, 8th Floor, Alhambra, California 91803-1331.

**OFFICIAL NOTICE
INVITING BIDS**

Notice is hereby given that the Director of Public Works will receive sealed bids for furnishing all materials, labor, and equipment required to complete construction for the following work:

<u>SD</u>	<u>SPECS.</u>	<u>PROJECT</u>	<u>BID DOC FEE</u>	<u>DATE OF BID OPENING</u>
5	7110R1	Stephen Sorensen County Park Splash Pad Project 16801 East Avenue P Lake Los Angeles, CA 93591	\$75	May 3, 2011

Copies of the project manual and drawings may be obtained at the Cashier's office, Department of Public Works, 900 South Fremont Avenue, Mezzanine, Alhambra, California 91803, for the fee stated above. For bid information, please contact Ms. Jenny Carney of Architectural Engineering Division at (626) 458-2585. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's office no later than 10:45 a.m., on the date indicated. Bids will be publicly opened, examined, and declared by the Department of Public Works at 11 a.m., on this date in the Main Conference Room, 5th Floor, at 900 South Fremont Avenue, Alhambra, California 91803.

The general contractor and all of its subcontractors of any tier shall be required to pay prevailing wages to all workers employed in the execution of the project in accordance with Labor Code Section 1770 et seq. Copies of prevailing rate of per diem wages are

on file at the Department of Public Works, which shall be made available to any interested party upon request.

Bids must conform to the drawings and project manual and all bidding requirements. This project requires the prime contractor to possess an active A or B license classification at the time of bid submittal. The contractor must verify to the County's satisfaction that he/she holds the correct license and experience for this type of project.

In addition, to meet the requirements for qualifying experience to bid on this project, the prime contractor shall, at a minimum, have installed as a prime contractor or as a subcontractor two similar splash pads for a public entity within the last 5 years, each with a self-contained and dedicated recirculation system, including a pre-manufactured filtration unit with automated chemical treatment and debris trap systems. The contractor shall submit verification of such qualifying experience on the County provided form at the time of bid submittal. The County will determine, in its sole discretion, whether or not the information provided meets the requirements for qualifying experience in order for the prime contractor to be considered a qualified bidder for this project.

OTHER INSTRUCTIONS

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts as defined in Section 2000 of the Public Contract Code relating to contracting with Community Business Enterprises.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical or inconsequential errors and discrepancies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al Telefono (626) 458-2563.



Upon 72 hours notice, the Department of Public Works can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, program documents are available at the Department of Public Works' main office in Alhambra (900 South Fremont Avenue), which is accessible to individuals with disabilities. To request accommodations ONLY or for more Americans with Disabilities Act (ADA) information, please contact the Department of Public Works' ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7 a.m. to 5:30 p.m.



Con 72 horas de notificación, el Departamento de Obras Públicas puede proveerle información y publicaciones sobre el programa y formatos alternativos o hacer adaptaciones para personas con incapacidades. Además, documentación sobre el programa está disponible en la oficina principal del Departamento de Obras Públicas localizada en Alhambra (900 South Fremont Avenue), la cual es accesible para personas con incapacidades. Solamente si necesita solicitar adaptaciones o para mas información del ADA, póngase en contacto con nuestro Coordinador del ADA al (626) 458-4081 o TDD (626) 282-7829, de lunes a jueves de las 7 a.m. a 5:30 p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California,
dated April 12, 2011.

Specs. 7110R1 SACHI A. HAMAI, EXECUTIVE OFFICER
 OF THE BOARD OF SUPERVISORS
 OF THE COUNTY OF LOS ANGELES